



W.P.(MD)No.13905 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.13905 of 2024

M.Uma

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St.George, Chennai-600 009.
- 2.The Director of School Education,
College Road, Chennai-600 006.
- 3.The Chief Educational Officer,
Madurai District at Madurai.
- 4.The District Educational Officer,
Usilampatti, Madurai District.
- 5.The Administrator,
The Tamil Evangelical Lutheran
Church (TELC), PB.No.86,
Tranquebar House, Trichy-620 001.
- 6.The Correspondent/Advocate Administrator,
TELC Girls Higher Secondary School,
Usilampatti, Madurai District-625 532.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent/The Chief



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Educational Officer and 4th respondent /the District Educational Officer to approve the appointment of the petitioner as BT Assistant in Maths from the date of joining (I.e.,)27.02.2017 in the 6th respondent TELC Girls Higher Secondary School, Usilampatti and disburse the salary and all other monetary benefits, including arrears, within a time frame to be fixed by this Court.

For Petitioner : Mr.Niranjan S.Kumar
For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

Heard Mr.Niranjan S.Kumar, learned counsel for the petitioner, Mr.M.Siddharthan, learned Additional Government Pleader for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner has filed this writ petition seeking a Writ of Mandamus, to direct the third and fourth respondents to approve the appointment of the petitioner as BT Assistant in Maths from the date of joining (i.e.,) 27.02.2017 in the 6th respondent TELC Girls Higher Secondary School, Usilampatti and disburse the salary and all other monetary benefits, including



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arrears by considering his representation, dated 21.06.2023. Since the said representation has not been considered by the respondents so far, the present writ petition has been filed.

4. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specified time frame.

5. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 21.06.2023 on its own merits and pass appropriate orders in accordance with law and in light of the earlier judicial pronouncement, if any, within a period of



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four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of.

No costs.

27.06.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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To

- 1.The Secretary,
Department of School Education,
Fort St.George, Chennai-600 009.
- 2.The Director of School Education,
College Road, Chennai-600 006.
- 3.The Chief Educational Officer,
Madurai District at Madurai.
- 4.The District Educational Officer,
Usilampatti, Madurai District.



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5.The Administrator,
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Church (TELC), PB.No.86,
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6.The Correspondent/Advocate Administrator,
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R.N.MANJULA, J.

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